

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE:	§	CHAPTER 13
	§	
BRUCE ALEXANDER SMITH,	§	CASE NO. 12-56368-PWB
	§	
Debtor	§	JUDGE PAUL W. BONAPFEL
	§	
	§	
ATLANTA POSTAL CREDIT UNION,	§	CONTESTED MATTER
Movant,	§	
	§	
vs.	§	
BRUCE ALEXANDER SMITH,	§	
Respondent	§	
	§	
MARY IDA TOWNSON,	§	
Trustee.	§	

**ATLANTA POSTAL CREDIT UNION’S RESPONSE TO  
DEBTOR’S POST-CONFIRMATION MODIFICATION OF PLAN**

ATLANTA POSTAL CREDIT UNION (“APCU”) and files its Response to Debtor’s Post-Confirmation Modification of Plan (“the Modification”) and shows this Court as follows:

1. The Debtor filed this petition for relief under Chapter 13 on March 7, 2012. The case was confirmed on November 2, 2012 and established monthly payments in the amount of \$1,300.00 along with a step increase scheduled for February 2014 in the amount of \$423.00. Also, the confirmed Chapter 13 Plan provided for all federal tax refunds to be paid to the Trustee for the benefit of creditors.
2. On December 9, 2014, the Debtor filed a Post-Confirmation Modification of Plan stating that his income has decreased to an extent that Debtor is financially incapable of maintaining a plan payment which would include the scheduled step increase. APCU objects to the modification as Debtor has failed to provide any documentation showing the decrease in his income.

3. In addition, the Debtor has modified the Plan to delete the provision that all federal tax refunds be paid to the Trustee for the benefits of creditors. APCU objects to the modification as Debtor has failed to provide any documentation showing the basis for such retention and continuing to propose a 0% Plan.

**WHEREFORE**, APCU prays that the Court deny the Debtor's Post-Confirmation Modification of Plan and grant such other and further relief as this Court deems just and appropriate.

Respectfully submitted this 19th day of December, 2014.

/s/ David C. Whitridge  
**DAVID C. WHITRIDGE**  
Georgia State Bar No. 754793

For the firm of:  
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**CERTIFICATE OF SERVICE**

This is to certify that I have this day served the foregoing Response to Debtor's Post-Confirmation Modification of Plan upon the Debtor, Bruce Alexander Smith, 4065 Burns Road, Lilburn, GA 30047; Debtor's Attorney, Radoslav Bachev, Robert J. Semrad & Associates, L.L.C., 101 Marietta Street, NW, Suite 3600, Atlanta, GA 30303; and the Chapter 13 Trustee, Mary Ida Townson, Suite 2700 Equitable Building, 100 Peachtree Street, NW, Atlanta, GA 30303, with a copy of same in an envelope with adequate postage affixed thereon to insure delivery by United States Mail. This 19th day of December, 2014

/s/ David C. Whitridge  
**DAVID C. WHITRIDGE**  
Georgia State Bar No. 754793

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